

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MUSIC CHOICE,	§	
	§	
Plaintiffs,	§	
	§	No. 2:16-CV-00586-JRG-RSP
v.	§	(lead case)
	§	No. 2:16-CV-00964-JRG-RSP
STINGRAY DIGITAL GROUP INC. and	§	(member case)
STINGRAY MUSIC USA, INC.,	§	
	§	
Defendants.	§	


ORDER

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report and Recommendation (Dkt. No. 46) by Magistrate Judge Payne, which recommends that Music Choice's Motion to Dismiss (Dkt. No. 21) in member case No. 2:16-CV-00964 be denied. Music Choice lodged objections (Dkt. No. 47) to the Report.

Having considered the Report and Music Choice's objections, the Court concludes Magistrate Judge Payne's Report and Recommendation is correct. **IT IS THEREFORE ORDERED** that the Report and Recommendation (Dkt. No. 46) is hereby **ADOPTED**. Defendants' Motion to Dismiss (Dkt. No. 21) is **DENIED**.

So Ordered this

Sep 28, 2017



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE